

Board Operations 101

Hollywood United Neighborhood Council



Today's Objectives

- Get to know each other!
- Learn about HUNC's History
- Understand HUNC and Neighborhood Council Structure
- Understand basic rules for board members
- Imagine the future of HUNC

Get to Know Each Other

- What's an interesting fact about yourself?
- Why did you join Neighborhood Council?
- How do you benefit from participating?
- What do you hope we accomplish this year?

2-3 minutes each board member

HUNC History

- In 1999, LA City voters approved a new charter including several reforms.
 - Charter creates Neighborhood Council System
 - To increase citizen participation
 - To counterbalance City Council
 - Charter requires NC's to have Outreach and PLUM Committees
 - Charter increased Mayoral authority by placing previously independent department heads in mayoral cabinet
 - Required Regular audits of city finances
 - Imposed a code of conduct on all elected officials

HUNC History

- In 2002, Hollywood United Neighborhood Council becomes 52nd certified Neighborhood Council
- Originally one complete Council for Hollywood applied but was not certified. Ultimately, five NC's were created in Hollywood with HUNC the first to be certified.
- First elections were held in February 2003



HUNC History - Excerpts from Certification Letter

“We know that the keystone of our organizational operations must be the ongoing implementation of outreach programs. to be certain that no constituency, nor any citizen or stakeholder, is overlooked or ignored. We endeavor to help create a new spirit of community involvement and pride into the homes, businesses and streets of Hollywood.”

“We believe in a shared leadership. One that reaches into all of our neighborhoods. To give all who are interested an opportunity to not only be heard, but to actively and meaningfully participate. We also make a special commitment to the seniors, youth, the disabled, and diverse ethnicities of our neighborhoods. We will include their needs and interests in our planning and activities.”



HUNC and Neighborhood Council Structure

- City Council sets laws and policy for the city.
- Neighborhood Councils advise and assist City Council by representing community interests.
- Board of Neighborhood Commissioners, appointed by Mayor, set policy and implementation of City Charter.
- Department of Neighborhood Empowerment implements policy to support NC's in compliance and effectiveness.
- HUNC Bylaws and Standing Rules govern HUNC's day to day operations.
- Rosenberg's Rules of Order govern procedure during formal meetings.

Laws and Rules Governing Board Operations

- Ralph M. Brown Act
- Public Records Act
- Rosenberg's Rules of Order
- Code of Conduct
- Conflict of Interest
- Other Laws and Ordinances - <https://empowerla.org/about-neighborhood-councils/>

Brown Act - History and Spirit

The first version of the Brown Act, a “sunshine law,” was signed into law in 1953 after an expose in the San Francisco Chronicle detailed a myriad of secret government meetings.

CA CODE 54950

In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

Brown Act Highlights

- Meetings

- Defined by the Brown Act, is “any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the legislative body” (§ 54952).

- Agendas

- Post agendas at least 72 hours in advance of the meeting and shall contain a brief general description of each item of business (§ 54954.2(a))

- Serial Communications and Gatherings

- While there are exceptions for specific situations, a majority of members are prohibited from gathering and discussing any item of interest within the subject matter jurisdiction of the body
- A majority of members may not communicate about an issue in ‘serial communications’ ie one after the other, to **develop a collective concurrence as to action**. Includes communication of member positions by third parties.

- Public Comment

Brown Act Highlights

For HUNC, the limit on serial communications and gatherings is 5 people. This number is a majority of quorum, or the minimum number of board members who could potentially take move an action as for the board-at-large.

More on the Brown Act:

<http://ies.kvj.mybluehost.me/archive/Brown%20Act%20Trifold.pdf>

Brown Act Violations

In order to correct a violation to the Brown Act, a complaint to cure and correct has to be filed by the interested party:

- within 30 days of the date the action was taken during an open meeting and in violation of agenda requirements
- Within 90 days of the date the action was taken for all other cases
- Once the legislative body has received the complaint, it has 30 days to cure or correct the challenged action, if it fails to do so, a person then may file suit to void the action

<https://www.cityofsantacruz.com/government/city-departments/city-clerk/the-ralph-m-brown-act-at-a-glance>

Public Records Act - History and Spirit

The **California Public Records Act** was a law passed by the California State Legislature and signed by then-governor Ronald Reagan in 1968 requiring inspection or disclosure of governmental records to the public upon request, unless exempted by law.

In 2004, California adopted Proposition 59 which amended Article I of the state constitution:

ARTICLE I DECLARATION OF RIGHTS

SEC. 3.

(b) (1) The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.



Public Records Act - Look Out!

What are public records?

Most information in the possession of the Neighborhood Council will be a public record.

Public records include "... any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by the Neighborhood Councils regardless of its physical form or characteristics."

Emails and text messages about NC Business are subject to PRA - regardless of whether they originate from 'personal' accounts or numbers which may make personal accounts subject to PRA. In other words, **use your myhunc.org account exclusively for HUNC Business.**

Add standing rule

<https://empowerla.org/wp-content/uploads/2012/12/Public-Records-Act.pdf>



Rosenberg's Rules of Order

Rosenberg's Rules support the flow of a meeting - the process of a board action related to an agenda item follows:

1. Chair announces agenda item
2. Sponsor introduces items
3. Technical Questions for understanding
4. Public Comment
5. Motion is made, motion seconded
6. Board discussion and Debate
7. Board Discussion/Debate
8. Board Vote

<https://www.cacities.org/UploadedFiles/LeagueInternet/77/77d4ee2b-c0bc-4ec2-881b-42ccdbbe73c9.pdf>

Code of Conduct

You can view the Code of Conduct here: <https://empowerla.org/code-of-conduct/>

The crux is - be civil during meetings and comport yourself professionally in the community.

If you violate the code of conduct, HUNC Bylaws (Sections 8 and 9) allow for censure and removal from the board following specific procedures.

In short, these procedures require 3 board members to bring a censure motion with at least 30 days notice to the member who may be censured. Censure votes require a simple majority.

A board member may only be removed if the member has been censured at least once previously. Removal requires $\frac{2}{3}$ vote.

Digital Media Policy

The draft Digital Media Policy will soon be finalized and implemented. Policy includes:

1. Rules and Procedures for Management of official NC digital assets (web, social media, etc)
2. Restricts content posted on NC Digital Assets
 - a. Politically Neutral
 - b. Brown Act Compliant
 - c. No endorsements of third party positions or products
 - d. Other
3. Limits communication and affiliation on private or personal accounts and digital media operated by board members
 - a. No posting of affiliation with NC (prevents confusion of positions)
 - b. No posting of opinions regarding business before board (Brown Act)
 - c. Limitations on comments; relates to creation of limited public forums

<https://empowerla.org/wp-content/uploads/2020/11/Draft-Digital-Media-Policy-for-BONC-on-9.29.2020.pdf>



Conflict of Interest

It's complicated! There are a few items that are clear conflicts of interest and others that are not as clear. It's always best to consult DONE and the City Attorney in advance if you are not sure.

Any time business is before you that involves:

- A business in which you or a family member has an investment
- An entity of which you are an officer or director or hold some position of management
- Real property in which you or a member of your family has an interest (specific rules, 500 ft)
- A source of income to you or a member of your immediate family (specific rules)
- A source of gifts to you; or
- Any person or entity with which you have a relationship other than your capacity as a City official (eg friend, business relationship, or organization in which you hold some position of importance)

You should contact DONE with the pertinent facts. Please keep in mind that the mere presence of one of the listed interests does not necessarily mean you have a conflict.

<https://empowerla.org/wp-content/uploads/2012/12/Conflict-of-Interest-Laws-Neighborhood-Councils.pdf>

Conflict of Interest - Other Board Members

If you or a stakeholder believes another member may have a conflict of interest on upcoming item:

- Contact President with pertinent facts as soon as possible
- President will contact member and advise consultation about issue, seek more information; including committee chairs when relevant
- Member will respond
- President will advise board during meeting of potential conflict if member does not identify or has not reported on consultation

Conflict of Interest - Contacts for Consult

- DONE - Lorenzo Briceno
lorenzo.briceno@lacity.org
- Fair Political Practices Commission:
1-866-ASK-FPPC
- City Attorney - Steve Houchin -
steve.houchin@lacity.org

Other Laws and Rules

There are other rules and ordinances regulating neighborhood council in addition to our own bylaws, rules specific to neighborhood council funds from the Clerk's office and rules and ordinances listed here:

<https://empowerla.org/about-neighborhood-councils/>



Questions for Follow Up

Discussion and questions!

Imagining the Future

Committees present mission statement and outreach strategies

- Outreach
- PLUM
- Nonprofit, Education and Arts
- Renter's and Housing
- Social Services and Homelessness
- Transportation and Public Works
- Public Safety and Emergency Preparedness